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PATENT
2972-103P

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Peter GAIER et al.

INTERNATIONAL APPLN. NO.: PCT/EP96/02633

SERIAL NO.: 08/981,233 GROUP NO.:

FILED: December 19, 1997 EXAMINER:

FOR: PROCESS AND DEVICE FOR CONTINUOUSLY DRYING
PROTEIN CONTAINING SLUDGE

PETITION CORRECTING INVENTORSHIP UNDER 37 CFR 1.48(a)
ITEM #1

Assistant Commissioner for Patents
Washington, D.C. 20231

October 4, 1999

Sir:

This is a Petition to Correct Inventorship under 37 C.F.R. § 1.48(a), of U.S. Application No. 08/981,233, filed December 19, 1997, entitled PROCESS AND DEVICE FOR CONTINUOUSLY DRYING PROTEIN-CONTAINING SLUDGE.

Applicants hereby petition that this Application be amended to add an omitted inventor.

Please add the following inventor to this Application:

	<u>INVENTOR</u>	<u>RESIDENCE (CITY AND FOREIGN COUNTRY)</u>
10/12/1999 P VOLPE	00000017 08981233	
01 FC:122	Ulrich BLANIKOW	Lipowskystr.20, DE-81373 München Germany

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PATENT
2972-103P

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Peter GAISER et al.

INTERNATIONAL APPLN. NO.: PCT/EP96/02633

SERIAL NO.: 08/981,233

GROUP NO.: 1 NO. 444

FILED: December 19, 1997

EXAMINER:

FOR: PROCESS AND DEVICE FOR CONTINUOUSLY DRYING
PROTEIN CONTAINING SLUDGE

LETTER RESPONDING TO NOTIFICATION OF A DEFECTIVE RESPONSE

Assistant Commissioner of Patents
Box PCT
Attn: PCT Legal Office
Washington, D.C. 20231

October 4, 1999

Sir:

Responsive to the Notification of Defective Response dated September 8, 1999, the following comments are made in connection with the above-identified application.

In the Notification, the Patent Office indicated that the matter regarding Mr. Kowalczyk's signature on the originally filed declaration has been rendered moot; however, the addition of Mr. Plantikow as an inventor requires a proper petition under 37 CFR 1.48(a) be filed. In response, Applicants have attached hereto the required materials for a petition under 37 CFR 1.48(a) as instructed in MPEP 201.03.

With regard to this matter, 37 CFR 1.48(a) requires that the amendment be accompanied by:

- (1) a petition including a statement from each person being added... that the error occurred without deceptive intention on his or her part;
- (2) an oath or declaration by each actual inventor or inventors as required by 37 CFR 1.63...;
- (3) the fee set forth in 37 CFR 1.17(I); and
- (4) the written consent of any existing assignee.

Accordingly, attached hereto are items (1)-(4).

Regarding item (2), Applicant's representative, Dr. Garth M. Dahlen contacted Mr. Richard Lazarus by telephone on September 20, 1990. Mr. Lazarus indicated that Applicants could rely on the Declaration filed April 2, 1998. However, for clarity of the record, attached hereto is a copy of the Declaration filed April 2, 1999.

It is submitted that the attached petition under 37 CFR 1.48(a) complies with all USPTO requirements.

If any issues remain regarding the above matters, please contact Applicants' representative, Dr. Garth M. Dahlen, in the Washington, metropolitan area at the phone number listed below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and further replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fee required under 37 C.F.R. §§ 1.16 or

1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By: 

Andrew D. Meikle
Reg. No.: 32,868

P. O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

ADM/GMD:jls

Enclosure: (1) a petition including a statement from each person being added that the error occurred without deceptive intention on his part;
(2) a copy of the declaration filed April 2, 1999;
(3) the fee set forth in 37 CFR 1.17(l); and
(4) the written consent of the assignee.